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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,313	05/25/2007	Francis Yew Hong Lee	DR10-012	7385

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EXAMINER	
JAMA, ISAAK R	

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/565,313	LEE ET AL.	
	Examiner	Art Unit	
	ISAAK R. JAMA	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 January 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-9,13-15,17,18,20 and 21* is/are rejected.

7)☒ Claim(s) *6,10-12,16,19,22 and 23* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 January 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *06/15/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 6, 10-12,16, 19, 22 and 23 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 6, 10-12, 15, 16, 19, 22 and 23 cannot depend from any other multiple dependent claim (s). See MPEP § 608.01(n). Accordingly, the claims 6, 10-12, 16, 19, 22 and 23 have not been further treated on the merits.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-4, 7-9, 13-15, 17 and 20-21 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-8, 11-13, 14-16 and 19 of co-pending Application Number 10/565,312. Although some of

the conflicting claims are not identical, they are not patentably distinct from each other because claims 1-4, 7-9, 13-15, 17 and 20-21 of the instant application merely recite an obvious synonym for claims 1, 2, 5, 6, 9, 14-16 and 19 such as "an identification number and information uniquely identifying the computer" which is synonymous to "a temporary phone number, an IP address and a port number of the computer" which is recited in claims 1, 2, 5, 6, 9, 14-16 and 19 of Application number 11/565,312.

Claims 1- are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being dependent upon a rejected base claim, but would be withdrawn from the rejection if their base claims overcome the provisional rejection by the timely filling of a terminal disclaimer.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

10/565,313	10/565,312
1. A method of two-way communication between a web browser and a mobile telecommunication device including the steps of; accessing a web-site via a computer, sending a message to a mobile telecommunication device from the web-site, and at a message server capturing information uniquely identifying the computer, assigning an identification number to the information uniquely identifying the computer, storing the identification number and information uniquely identifying the computer in a database, and sending the message to the mobile telecommunication device with the identification number.	1. A method of two-way communication between a web browser and a mobile telecommunication device including the steps of; accessing a web-site via a computer, sending a message to a mobile telecommunication device from the web-site, and at a message server capturing the IP address and port number of the computer, assigning a temporary phone number to the IP address and port number of the computer, storing the temporary phone number, IP address of the computer and port number of the computer in a database, and sending the message to the mobile telecommunication device with the temporary phone number.
2. A method of two-way communication between a web browser and a mobile telecommunication device as claimed in claim 1 wherein a set number of identification numbers are available for assigning by the message server	2. A method of two-way communication between a web browser and a mobile telecommunication device as claimed in claim 1 wherein a set number of temporary phone numbers are available for assigning by the message server.
3. A method of two-way communication between a web browser and a mobile telecommunication device as claimed in claim 1 or claim 2 further including the step of capturing the receiving mobile telecommunications device number at the message server.	3. A method of two-way communication between a web browser and a mobile telecommunication device as claimed in claim 1 or claim 2 further including the step of capturing the receiving mobile telecommunication device number at the message server.
4. A method of two-way communication between a web browser and a mobile telecommunication device as claimed in claim 3 further including the step of storing the receiving mobile telecommunication device number in the message server database.	4. A method of two-way communication between a web browser and a mobile telecommunication device as claimed in claim 3 further including the step of storing the receiving mobile telecommunication device number in the message server database.
	5. A method of two-way communication between a web browser and a mobile telecommunication device as claimed in claim 4 wherein the temporary phone number is assigned based on the IP address and port number of the computer and the receiving mobile telecommunication device number.
6. A method of two-way communication between a web browser and a mobile telecommunication device as claimed in any one of claims 1 to 5 wherein the identification number includes a portion identifying the message server.	6. A method of two-way communication between a web browser and a mobile telecommunication device as claimed in claim 1 or claim 2 the method further including the steps of; at the message server receiving a message from a mobile telecommunication device sent to a temporary phone number of the message server, capturing the message and temporary phone number, using the database to match the temporary phone

Claim Rejections - 35 USC § 103

4. Claims 1-4, 7-9, 13-15, 17 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication Number 2002/0141384 (Lui et al.) in view of U.S. Patent Number 7,292,855 (Kumar et al.).

5. Regarding claims 1, 2 and 13, Lui teaches sending a message to a mobile telecommunication device from a web-site, and at a message server capturing information uniquely identifying the computer **[Page 3, paragraph 0029; i.e. IP address]**, assigning an identification number to the information uniquely identifying the computer **[Page 4, paragraph 0034]**, storing the identification number and information uniquely identifying the computer in a database, and sending the message to the mobile telecommunication device with the identification number **[Figure 5, step 112]**. But Lui fails to specifically teach that the method is a two communication between a web browser and a mobile telecommunication device and accessing a web-site via a computer. Kumar teaches an apparatus and an associated method for facilitating formation of multiple mobile IP data sessions at a mobile node whereby a two-way communication between a web browser **[Figure 2, # 28, i.e. web server]** and a mobile telecommunication device **[Figure 2, #12]** including the steps of; accessing a web-site via a computer **[Column 6, lines 43-47]**. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the method of Kumar in the system of Lui in order to permit a data session with the mobile unit.

6. Regarding claim 3, Lui further teaches that the step of capturing the receiving mobile telecommunications device number at the message server **[Figure 1, # 18].**

7. Regarding claims 4 and 17, Lui further teaches that the step of storing the receiving mobile telecommunication device number in the message server database **[Figure 1, # 19].**

8. Regarding claims 7-9, Lui teaches that the method includes the steps of: at the message server receiving a message from a mobile telecommunication device with an identification number of the message server, capturing the message and identification number, using the database to match the identification number to information uniquely identifying a computer, and sending the message to the computer identified by the unique identification information **[Figure 1, #s 18 and 19, page 4, paragraph 0035]**.

9. Regarding claim 14, Lui teaches that the web site is provided by a telecommunication service provider **[Page 1, paragraph 005; i.e. ISP]**.

10. Regarding claim 15, Lui teaches that a set number of identification numbers are available for assigning by the message server **[Page 1, paragraph 0008; i.e. IP addresses are a finite number]**.

11. Regarding claim 20, Lui teaches that the server is further arranged to capture the receiving mobile telecommunication device number **[Page 4, paragraphs 0033-0034]**.

12. Regarding claim 21, Lui teaches that the server is further arranged to use the database to match the identification number to information uniquely identifying a computer and the receiving mobile telecommunication device number **[Figure 1, # 19, paragraph 0034; i.e. the directory includes a mapping table which correlates a**

10-digit identification number which is permanently assigned to each internet client].

13. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication Number 2002/0141384 (Lui et al.) in view of U.S. Patent Number 7,292,855 (Kumar et al.) and further in view of U.S. Patent Application Publication Number 2005/0018659 (Gallant et al.).

14. Regarding claims 5 and 18, Lui and Kumar has been discussed above. But the combination of Lui and Kumar fail to teach that the identification number is not related to the information uniquely identifying the computer and the receiving mobile telecommunication device number. Gallant teaches a method and system for suppressing early media in a communications network whereby in requesting the communications system to establish contact with someone, a caller specifies who they are trying to reach using either a telephone number or some alternative form of identifier, which, unlike a telephone number, may be entirely unrelated to any physical addressing scheme used by the communications system **[Page 5, paragraph 0052]**. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the method of Gallant in the combined system of Lui and Kumar in order to facilitate the use of other area-specific identifying numbers.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Number 6,487,602 (Thakker) teaches a system and method for accessing the internet protocol-based cellular network. U.S. Patent Number

7,289,792 (Turunen) teaches a method for transmitting multimedia messages. U.S. Patent Number 7,088,990 (Isomursu et al.) teaches a communication network terminal supporting a plurality of applications.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISAAK R. JAMA whose telephone number is (571)270-5887. The examiner can normally be reached on 7:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617

/IRJ/